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Independent Financial Group, LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

INDEPENDENT FINANCIAL GROUP, LLC,

Plaintiff,

vs.

QUEST TRUST COMPANY; and DOES 1-
50,

Defendants.

Case No.: 3:21-cv-00537-WHO

**STIPULATION TO CONTINUE
HEARING DATE AND MODIFY
BRIEFING SCHEDULE RE
DEFENDANT'S MOTION TO
TRANSFER OR DISMISS; ORDER
THEREON**

Plaintiff Independent Financial Group, LLC ("Plaintiff") and Defendant Quest Trust Company ("Defendant") (collectively, the "Parties") respectfully submit this Stipulation to Continue the Hearing on Defendant's Motion To Transfer Venue or Dismiss. In support of this Stipulation, the Parties state:

WHEREAS, Plaintiff filed this action on October 9, 2020, in the Superior Court of California, Monterey County;

///

1 WHEREAS, Defendant timely filed its Notice of Removal in this Court on January 22, 2021;
2 WHEREAS, on April 27, 2021, Defendant filed its Notice To Transfer Venue Pursuant to 28
3 U.S.C. §§ 1404(a) and 1406(a), or in the alternative, Dismiss Plaintiff's Complaint For Failure To
4 State a Claim (the "Motion To Transfer or Dismiss" or the "Motion");

5 WHEREAS, the hearing on the Motion To Transfer or Dismiss is set for June 2, 2021, 2:00 6
p.m.;

7 WHEREAS, Plaintiff's Opposition to the Motion is currently due May 11, 2021;

8 WHEREAS, Defendant's Reply in support of the Motion is currently due May 18, 2021;

9 WHEREAS, Plaintiff's counsel has a number of preexisting deadlines due in the first half of
10 May 2021 and requires an additional 14 days to review and prepare its Opposition papers adequately;

11 WHEREAS, Defendant does not oppose Plaintiff's request for an extension of time; and

12 WHEREAS, the request for an extension of time is made in good faith and not for purposes of
13 delay;

14 IT IS HEREBY STIPULATED by the Parties that:

15 1. Plaintiff shall have up to and including May 25, 2021 to file its Opposition to the
16 Motion;

17 2. Defendant shall have up to and including June 1, 2021 to file its Reply in support of
18 the Motion;

19 3. The hearing on the Motion shall be continued to June 16, 2021, at 2:00 p.m., or as
20 soon thereafter as may be convenient for the Court.

21
22 Dated: May 7, 2021

LEWIS BRISBOIS BISGAARD & SMITH LLP

23
24 By: /s/ Stephen H. Turner

25 Stephen H. Turner
26 Attorneys for Defendant QUEST TRUST
27 COMPANY
28

1 DATED: May 7, 2021

MARKUN ZUSMAN FRENIERE & COMPTON LLP

3 By: /s/ Kevin K. Eng

4 Kevin K. Eng

5 Attorneys for Plaintiff INDEPENDENT
FINANCIAL GROUP, LLC

6 I hereby attest that all conformed signatures within this e-filed document have been inserted with the
7 consent of the signor.

9 **[PROPOSED] ORDER**

10 The Court, having reviewed the foregoing Stipulation, and finding good cause, hereby
11 ORDERS as follows:

12 1. Plaintiff shall have up to and including May 25, 2021 to file its Opposition to the
13 Motion;

14 2. Defendant shall have up to and including June 1, 2021 to file its Reply in support of
15 the Motion;

16 3. The hearing on the Motion shall be continued to June 16, 2021, at 2:00 p.m.

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

The parties are reminded to adhere to Civil Local Rule 5-1(g) and email Microsoft Word versions of proposed orders.

18
19 Dated: May 10, 2021



WILLIAM H. ORRICK

United States District Judge